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| FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE: U.S. DEPARTMENT OF COMMERCE<br><b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>   |   | ATTORNEY'S DOCKET NUMBER<br>293329US3PCT<br><br>U.S. PATENT AND TRADEMARK OFFICE<br><b>10/588212</b> |
| INTERNATIONAL APPLICATION NO.<br>PCT/JP05/02371   | INTERNATIONAL FILING DATE<br>February 9, 2005 | PRIORITY DATE CLAIMED<br>February 10, 2004   |
| TITLE OF INVENTION<br><b>COMBUSTION APPARATUS</b>   |   |  |
| APPLICANT(S) FOR DO/EO/US<br><b>Shunsuke AMANO, et al.</b>  |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |  |
| <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>a. <input type="checkbox"/> If the declaration is in a language other than the English language, it is accompanied by an English translation. The translation is accurate (37 CFR 1.69)</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p> <p>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</p> <p>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</p> <p><b>Items 13 to 23 below concern document(s) or information included:</b></p> <p>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>a. <input checked="" type="checkbox"/> PTO-1449 b. <input checked="" type="checkbox"/> Cited References 4 c. <input type="checkbox"/> Statement of Relevancy d. <input type="checkbox"/> List of Related Cases.</p> <p>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>17. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>18. <input type="checkbox"/> A substitute specification.</p> <p>19. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>20. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>21. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>22. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>23. <input checked="" type="checkbox"/> Other items or information: Notice of Priority/PCT/IB/304/PCT/IB/308</p> |   |  |

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|--|--|--|------------|--------|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>107588212</b>  | INTERNATIONAL APPLICATION NO.<br><b>PCT/JP05/02371</b> | ATTORNEY'S DOCKET NUMBER<br><b>293329US3PCT</b>                        |            |        |
| The following fees are submitted:  |  | CALCULATIONS PTO USE ONLY  |            |        |
| 24. <input checked="" type="checkbox"/> Basic national fee.....  |  | \$300  |            |        |
| 25. <input checked="" type="checkbox"/> Examination fee<br>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .... \$0<br>All other situations.....  |  | \$200.00   |            |        |
| 26. <input checked="" type="checkbox"/> Search fee<br>If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .... \$0<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100<br>International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400<br>All other situations.....  |  | \$400.00   |            |        |
| <b>TOTAL OF 24, 25 AND 26 =</b>  |  | <b>\$900.00</b>  |            |        |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |  |  |            |        |
| Total Sheets   | Extra Sheets   | Number of each additional 50 or fraction thereof (round up to a whole) | RATE       |        |
| - 100 =  | / 50 =   |  | x \$250.00 | \$     |
| <input type="checkbox"/> Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).   |  |  |            | \$     |
| CLAIMS   | NUMBER FILED   | NUMBER EXTRA   | RATE       |        |
| Total claims   | - 20 =   | 0  | x \$50.00  | \$0.00 |
| Independent claims   | - 3 =  | 0  | x \$200.00 | \$0.00 |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/>   |  | + \$360.00   | \$         |        |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |  | <b>\$900.00</b>  |            |        |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.   |  |  |            |        |
| <b>SUBTOTAL =</b>  |  | <b>\$900.00</b>  |            |        |
| <input checked="" type="checkbox"/> Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  |  | + \$130.00   |            |        |
| <b>TOTAL NATIONAL FEE =</b>  |  | <b>\$1,030.00</b>  |            |        |
| <input type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |  | + \$   |            |        |
| <input type="checkbox"/> Petition fee of \$1,500.00 for Petition to Revive (37 CFR 1.137 (b)).   |  | + \$   |            |        |
| <b>TOTAL FEES ENCLOSED =</b>   |  | <b>\$1,030.00</b>  |            |        |
|  |  | <b>Amount to be refunded:</b>  | \$         |        |
|  |  | <b>Amount to be charged:</b>   | \$         |        |
| <p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>15-0030</u> in the amount of \$_____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0030</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> |  |  |            |        |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.   |  |  |            |        |
| SEND ALL CORRESPONDCE TO:  |  |  |            |        |
| <p><b>CUSTOMER NUMBER</b><br/><b>22850</b><br/>Tel. (703) 413-3000<br/>Fax. (703) 413-2220<br/>(OSMMN 1/06)</p>  |  |  |            |        |
| <p><b>SIGNATURE</b><br/><i>Corwin Paul Umbach</i></p>  |  |  |            |        |
| <p><b>C. Irvin McClelland</b><br/>NAME <u>C. Irvin McClelland</u><br/>REGISTRATION NUMBER <u>21,124</u> <b>Corwin P. Umbach, Ph.D.</b><br/>Registration No. 40,211</p>   |  |  |            |        |

10/588212

AP20 Rec'd PCT/PTO 02 AUG 2006

DOCKET NO.: 293329US3PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Shunsuke AMANO, et al.

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/JP05/02371

INTERNATIONAL FILING DATE: February 9, 2005

FOR: COMBUSTION APPARATUS

**REQUEST FOR PRIORITY UNDER 35 U.S.C. 119**  
**AND THE INTERNATIONAL CONVENTION**

Commissioner for Patents  
Alexandria, Virginia 22313

Sir:

In the matter of the above-identified application for patent, notice is hereby given that the applicant claims as priority:

| <b><u>COUNTRY</u></b> | <b><u>APPLICATION NO</u></b> | <b><u>DAY/MONTH/YEAR</u></b> |
|-----------------------|------------------------------|------------------------------|
| Japan                 | 2004-032941                  | 10 February 2004             |

Certified copies of the corresponding Convention application(s) were submitted to the International Bureau in PCT Application No. PCT/JP05/02371. Receipt of the certified copy(s) by the International Bureau in a timely manner under PCT Rule 17.1(a) has been acknowledged as evidenced by the attached PCT/IB/304.

Respectfully submitted,  
OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

*Corwin Paul Umbach*

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